

REMARKS

Review and reconsideration on the merits are requested.

The claims which were pending: claims 1-22.

The claims which are canceled herein: claims 8, 9, 11, 12, 13 to 17, and 20-22.

Claim 21 is rewritten as claim 23 and is made dependent from claim 10; a similar approach is taken with original claim 22 which is rewritten as new claim 24.

Since claim 1 has been amended to use "consists of" language, claim 13 is rewritten as new claim 25. Claim 14 is rewritten as new claim 26, and claims corresponding to original claims 16 and 17 are dependent from claim 26 as new claims 27 and 28. Claim 15 is rewritten as new claim 29, and claims corresponding to original claims 16 and 17 are added and made dependent from claim 29 as new claims 30 and 31.

The prior art: U.S. Patent 6,323,169 Abe et al (Abe); JP 01165524A Philippe et al (Philippe); U.S. Patent 5,466,389 Ilardi et al (Ilardi); U.S. Patent 4,655,975 Snoble et al (Snoble).

The rejections of original claims: claims 1-3 and 6-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Abe.

Original claims 1-3, 6-16 and 18-22 were rejected under 35 U.S.C. § 102(b) as anticipated by Ilardi.

Claims 1, 2, 4-8, 10, 12 and 18-20 were rejected under 35 U.S.C. § 102(b) as anticipated by Philippe.

The Examiner's reading of the prior art as set forth in the Action and will not be repeated here except as necessary to an understanding of Applicants' traversal which is now presented.

Applicants first address the anticipation rejection of Abe. Abe relates to a resist stripper, particularly to a resist stripper comprising an aqueous solution containing (a) an oxidizing agent, (b) a chelating agent and (c) a water-soluble fluorine compound, and optionally (d) an organic solvent. In Abe, hydrogen peroxide (Claim 4) is disclosed as the oxidizing agent, and DMSO (Claim 13) is disclosed as the organic solvent. Abe also discloses a quaternary ammonium hydroxide such as tetramethyl ammonium hydroxide as an additive for making the pH of the resist stripper alkaline.

However, in the resist stripper of Abe, the hydrogen peroxide is considered to be reacted with tetramethyl ammonium fluoride (an example of component (c) and it is considered that the added tetramethyl ammonium hydroxide works only as a pH regulator.

In distinction, the resist stripper of the present invention does not contain a chelating agent and a water-soluble fluorine compound as required in Abe, rather, it consists of hydrogen peroxide, a quaternary ammonium salt and water only. Additives are limited to an amine and/or a water-soluble organic solvent as defined in independent Claims 25, 26 and 29. Abe does not disclose nor suggests a composition as claimed herein.

With respect to a reaction product of a quaternary ammonium salt and hydrogen peroxide, the Examiner refers to Snoble. Snoble illustrates a quaternary ammonium as a cation (at col. 3, lines 3 to 5), but it is only sodium (Na) ion that is illustrated in the Snoble Examples. Thus, Snoble does not disclose or suggest as to whether a hydrogen peroxide compound of a quaternary ammonium salt is formed or not

Applicants respectfully submit that the rejected claims are not properly rejected as anticipated by Abe and requests withdrawal.

Applicants now address the anticipation rejection over Ilardi. Ilardi relates to a cleaning composition for microelectronics substrates, and, as described at col. 2, lines 17 to 21, Ilardi relates to an effective cleaning solution that can be used to clean vias in processed wafers of resist and etching residue, i.e., residual ash and organic and inorganic contaminants. The cleaning solution of Ilardi comprises an aqueous metal ion free base, a nonionic surfactant and an effective amount of a pH reducing chemical component to reduce and control the pH of the cleaning solution to a pH within the range of from about 8 to 10. Claim 19 of Ilardi recites that the cleaning solution may further contain an oxidizing agent.

Examples of the aqueous metal ion free base in Ilardi include ammonium hydroxide and quaternary ammonium hydroxide, and hydrogen peroxide is given as an example of the oxidizing agent.

In distinction, the resist stripper of the present invention does not contain an nonionic surfactant as required in Ilardi, rather, consists of hydrogen peroxide, a quaternary ammonium salt and water. Additives which may be added are limited to an amine and/or a water-soluble organic solvent as defined in independent Claims 25, 26 and 29. Ilardi does not disclose or suggest a composition as claimed herein.

Applicants thus respectfully submit that the present claims are not anticipated by Ilardi, and request withdrawal of the rejection over Ilardi.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/996,773

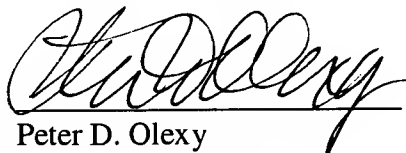
Applicants now address the anticipation rejection based on Philippe. Philippe relates to a medicinal or cosmetic composition for local application containing benzoyl peroxide and a specific quaternary ammonium lipophilic salicylate on a physiologically permissible support. Philippe discloses that since the composition of Philippe has antimicrobial properties and keratolytic properties, the Philippe composition is useful as a medicine for treating skin diseases, particularly acne, but Philippe does not disclose or suggest a resist stripper as claimed herein.

The resist stripper of the present invention does not contain benzoyl peroxide as required in Philippe, rather, it consists of hydrogen peroxide, a quaternary ammonium salt and water. Additives that may be added are limited to an amine and/or a water-soluble organic solvent as defined in Claims 25, 26 and 29.

Withdrawal of the anticipation rejection based on Philippe is requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Peter D. Olexy
Registration No. 24,513

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

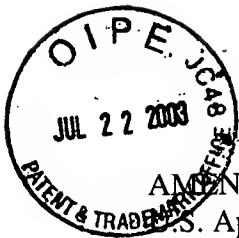
WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: July 22, 2003



RECEIVED
JUL 24 2003
TC 1700

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/996,773

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 8, 9, 11, 12, 13, 14, 15, 16, 17, 20, 21 and 22 are canceled.

The claims are amended as follows:

1. (Amended) A resist stripper which [comprises a] consists of hydrogen peroxide, [and]
a quaternary ammonium salt and water.

10. (Amended) The resist stripper according to Claim 1, wherein the hydrogen peroxide
and the quaternary ammonium salt are peroxyhydrate of the quaternary ammonium salt.

Claims 23-31 are added as new claims.